

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21060 of 2019

Arising Out of PS. Case No.-267 Year-2018 Thana- CHIRAIYA District- East Champaran

1. Indu Devi, Wife of Krishnanandan Mahto, Resident of Village- Kolasi, P.S.- Chiraiya District- East Champaran.
2. Krishnanandan Mahto, Son of Late Sewak Mahto, Resident of village- Kolasi, P.S.- Chiraiya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Indra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-06-2019 This is an application for grant of anticipatory bail in connection with Chiraiya P.S. Case No. 267 of 2018, disclosing offence under Section 302 of the Indian Penal Code.

Allegation against the petitioners and others is of assault to the daughter of the informant, causing her death.

Submission of the learned counsel for the petitioners is that the postmortem report does not support the prosecution case and no specific allegation against the petitioner no.2 and as a matter of fact, she died in some other manner. Petitioners have falsely been made accused in this case.

Heard learned A.P.P. also, who has opposed the prayed for bail on the ground that there are specific allegation of assault and the postmortem report also shows that the death is



caused due to Neurogenic shock.

Having heard both sides, in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioners, however, the petitioners are directed to surrender before the learned court below and make prayer for regular bail, the same shall be considered by the learned trial court on its own merit, without being prejudiced by order of this Court.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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